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12/05/2016

Anderson, Diane

Ed Smith

CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: AF 09-0688

From: Andrew Eckert <Eckert123456@hotmail.com>
Sent: Monday, December 5, 2016 9:17 AM
To: Court, SCclerk
Subject: input regarding proposed new wording of Rule 8.4(g) of Professional Rules of Conduct for Montana Attorneys

Honorable Members of the Montana Supreme Court, Helena, Montana,

I am a Pastor at Our Savior Lutheran Church in Stevensville, Montana. I have lived here for three and a half years, and am very happy to be a part of this great state.

I am writing to speak to your order, October 26, 2016 regarding case number AF 09-0688 and the proposed new Rule 8.4(g) of the Professional Rules of Conduct for Montana Attorneys. I am asking that you decline the adoption of this rule for the following reasons.

I am concerned that this rule will severely limit free speech for lawyers. Especially if a lawyer holds to certain religious beliefs, the rule will trample his ability to speak his mind on specific subjects. A man or woman's conscience must not be kept from public speech.

This rule will likely cause lawyers who are members of certain organizations or church bodies to be barred or face disciplinary action simply because of their membership. Even if such action does not take place, this will be a beginning of examining a lawyer's beliefs to determine his fitness, setting up more stringent restrictions of religious freedom in the future.

The ABA Committee on Ethics' Memorandum of December 22, 2015, explains the purpose of the proposed rule change, and favorably quotes the idea that there is "a need for a cultural shift in understanding the inherent integrity of people..." A cultural shift in integrity clearly means that one group's set of ethical beliefs are going to be imposed upon lawyers and the practice of law.

I strongly request that the court not adopt the proposed change to Rule 8.4 of the Professional Rules of Conduct.

Thank you for your time,

Pastor Andrew Eckert
Our Savior Lutheran Church
Stevensville, MT

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